

MESSAGE NO: 0155303

MESSAGE DATE: 06/04/2010

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-899

EFFECTIVE DATE: 11/07/2005

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING SCOPE RULING ON CERTAIN ARTIST CANVAS FROM THE
PEOPLE'S REPUBLIC OF CHINA (A-570-899)

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM WUXI PHOENIX ARTIST MATERIALS CO., LTD. COMMERCE ISSUED A FINAL SCOPE RULING ON 05/13/2010, THAT WUXI PHOENIX ARTIST MATERIALS CO., LTD.'S ARTIST CANVASES ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN ARTIST CANVAS FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-899).

2. COMMERCE DETERMINED THAT WUXI PHOENIX ARTIST MATERIALS CO., LTD.'S ARTIST CANVASES ARE NOT WITHIN THE SCOPE AS THE WEAVING AND PRIMING OF WUXI PHOENIX ARTIST MATERIALS CO., LTD.'S ARTIST CANVASES, WHICH IMPART THE ARTIST CANVASES' ESSENTIAL CHARACTER, ARE COMPLETED IN VIETNAM AND NOT THE PEOPLE'S REPUBLIC OF CHINA. WUXI PHOENIX ARTIST MATERIALS CO., LTD.'S ARTIST CANVASES ARE ONLY CUT AND FRAMED IN THE PEOPLE'S REPUBLIC OF CHINA. THEREFORE, WUXI PHOENIX ARTIST MATERIALS CO., LTD.'S ARTIST CANVASES ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN ARTIST CANVAS FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. EFFECTIVE 11/07/2005, TERMINATE SUSPENSION AND LIQUIDATE ALL ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE OF WUXI PHOENIX ARTIST MATERIALS CO., LTD.'S ARTIST CANVASES LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO WUXI PHOENIX ARTIST MATERIALS CO., LTD.'S ARTIST CANVASES LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF WUXI PHOENIX ARTIST MATERIALS CO., LTD.'S ARTIST CANVASES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/07/2005.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF

ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. FOR ALL OTHER SHIPMENTS OF CERTAIN ARTIST CANVASES FROM THE PEOPLE'S REPUBLIC OF CHINA NOT COVERED BY PARAGRAPH #2 ABOVE, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O8:SB).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party